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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,076

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Michael Glover

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DICKSTEIN SHAPIRO LLP
1825 EYE STREET NW
Washington, DC 20006-5403

EXAMINER

PUROL, DAVID M

ART UNIT

PAPER NUMBER

3634

MAIL DATE

DELIVERY MODE

05/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/576,076	Applicant(s) GLOVER, MICHAEL	
	Examiner David M. Purol	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-12, 21-27 and 32-34 is/are rejected.
- 7) ☒ Claim(s) 5-8, 13-20 and 28-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08212006</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. The disclosure and the claims are objected to in their entirety because they use the terms "joinery, leaf/leaves, bogey in an unconventional manner.

Correction is required.

2. Claims 5-8,13-20,28-31 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend upon another multiple dependent claim. See MPEP § 608.01(n). Accordingly, claims 5-8,13-20,28-31 have not been further treated on the merits.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4,9-12,21-27,32-34 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with indefinite language for which its intended meaning is not understood, grammatical and/or idiomatic errors, and narrative in form setting forth functional or operational language for which there is insufficient structural recitation to warrant its presence. For example: claim 1, line 1 "joinery bogey" and "joinery leaf", line 2, "joinery leaves", line 4 "provided on", line 7 "head or sill of", line 8 "being located so that", line " "has a component of movement away" and "upon initiation of opening"; claim 2, line 2 "provided on" and "for location", lines 4-5 "a part of the periphery"; claim 3, line 2 "regions of the leaf", line 3 "are contoured or recessed such that", line 4 "accommodated by the leaf"; claim 4, lines 2-3 "is provided adjacent to one of", lines 3-4

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"being horizontally displaced from"; claim 9, line 1 "joinery leaf", lines 1-2 "two or more door or window leaves", line 5 "a moveable edge proximal to the bogey", line 6 "for a head or sill of the frame", lines 7-8 "being located so that", line 8 "has a component of movement away", line 9 "upon initiation of opening"; claim 10, lines 1-2 "is provided with a", line 2 "for location adjacent", lines 4-5 "a part of the periphery"; claim 11, line 1 "regions of the", lines 2-3 "are contoured or recessed such that", line 3 "accommodated by the", lines 4-5 "planar surface is provided adjacent"; claim 12, lines 2-3 "is provided adjacent to one of", lines 3-4 "being horizontally displaced from", line 4 "between the bogey", line 5 "leaf"; claim 21, line 1 "joinery bogey" and "joinery leaf assembly", line 3 "movement means to allow", line 4 "one or more stile or rail engaging arm", line 5 "each stile or rail engaging arm", line 6 "a stile or rail of a joinery leaf"; claim 22, line 1 "wherein a further"; claim 23, line 1 "the stile or", line 2 "the stile or rail of a leaf by", line 3 "received within a cavity provided in"; claim 24, line 1 "joinery leaf installation", line 5 "a bogey unit"; claim 25, line 2 "a lip or bead providing a"; claim 27, line 2 "is formed from a different material than"; claims 32-34 in their entirety.

These claims are further indefinite for it is not known if they are drawn to the joinery bogey/track assembly per se or in combination with the multi-fold joinery leaf assembly.

The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4,9-12,21-27,32-34 as best understood are rejected under 35 U.S.C. 102 as being clearly anticipated by Lewis (U.S. Publication No. 2003/0089464) or JP 2002242523.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David M. Purol whose telephone number is (571) 272-6833.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Katherine Mitchell, can be reached at (571) 272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David M Purol/
David M Purol
Primary Examiner
Art Unit 3634

/D. M. P./
(571) 272-6833
May 6, 2008